

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DAVID CZAPIEWSKI and
ROBERT CIARPAGLINI,

ORDER

Plaintiffs,

07-C-549-C

v.

MICHAEL THURMER, MICHAEL MEISNER,
DON STRAHOTA, KATHYRYN ANDERSON,
BYRAN BARTOW, AMY FREEMAN and
SARAH DONOVAN,

Defendants.

In an order entered in this case on November 7, 2007, I directed plaintiff Robert Ciarpaglini to pay, no later than November 26, 2007, a \$350 fee for filing this case, as required by Boriboune v. Berge, 391 F.3d 852 (7th Cir. 2004) (each prisoner plaintiff in group complaint responsible for paying full filing fee). (As noted in the order, plaintiff Ciarpaglini has struck out under 28 U.S.C. § 1915(g) and his allegations in this case that he is being prevented from assisting other inmates with their legal activities does not qualify for the “imminent danger” exception.) I told plaintiff Ciarpaglini that if, by November 26, 2007, he did not pay the fee, I would dismiss the action as to him. Plaintiff Ciarpaglini has not paid the fee.

Therefore, IT IS ORDERED that plaintiff Ciarpaglini's claims are DISMISSED from this lawsuit, as is plaintiff Ciarpaglini himself. Nevertheless, Ciarpaglini owes the \$350 fee for filing this complaint and he must pay it as soon as he has the funds to do so. The clerk of court is requested to insure that the court's financial records reflect plaintiff Ciarpaglini's obligations in this case and that the warden of the institution in which plaintiff Ciarpaglini is presently confined is aware that plaintiff owes the fee so that it can be collected in accordance with 28 U.S.C. § 1915(b)(2).

Entered this 26th day of December, 2007.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge